

08 FEB 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

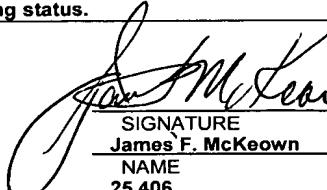
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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>095309.56504US</b>
		<b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b> <b>10/541,701</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/13371</b>	INTERNATIONAL FILING DATE <b>November 27, 2003</b>	PRIORITY DATE CLAIMED <b>January 10, 2003</b>
TITLE OF INVENTION <b>BODYSHELL</b>		
APPLICANT(S) FOR DO/EO/US <b>Kai VISEL, et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> Is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <b>Copy of Notification of Missing Requirements; Reply to Notification to File Missing Requirements; one (1) sheet of Drawing containing Figs 1-2; A copy of the return date stamped Postcard</b></p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BEST AVAILABLE COPY

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/541,701</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/13371</b>	ATTORNEY'S DOCKET NUMBER <b>095309.56504US</b>		
			CALCULATIONS	PTO USE ONLY	
The following fees have been submitted			\$		
21. <input type="checkbox"/> Basic national fee (37 C.F.R. §1.492(a)) ..... <b>\$300.00</b>			\$		
22. <input type="checkbox"/> Examination fee (37 C.F.R. §1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$0.00</b>			\$		
All other situations..... <b>\$200.00</b>			\$		
23. <input type="checkbox"/> Search fee (37 C.F.R. §1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$0</b>			\$		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... <b>\$100</b>			\$		
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... <b>\$400</b>			\$		
All other situations..... <b>\$500</b>			\$		
<b>TOTAL OF 21, 22 AND 23 =</b>			\$		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			\$		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100	/ 50 =		x 250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).			\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20		x 50	\$	
Independent claims	- 3		x 200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 360	\$	
		<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.			\$		
		<b>SUBTOTAL =</b>		\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). .....+ <b>\$130.00</b>			\$		
		<b>TOTAL NATIONAL FEE =</b>		\$	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property .....+ <b>\$40.00</b>			\$		
		<b>TOTAL FEES ENCLOSED =</b>		\$	
		Amount to be refunded:	\$		
		Amount to be charged:	\$	<b>0.00</b>	
a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 05-1323 (Attorney Docket No. 095309.56504US) in the amount of \$ to cover the above fees. <b>A duplicate copy of this sheet is enclosed.</b>					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-1323 (Attorney Docket No. 095309.56504US). <b>A duplicate copy of this sheet is enclosed.</b>					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Crowell & Moring, LLP Intellectual Property Group P.O. Box 14300 Washington, D.C. 20044-4300 Tel. No. (202) 624-2500 Fax No. (202) 628-8844 /xxx (doc no.)					
 SIGNATURE <b>James F. McKeown</b> NAME <b>25,406</b> REGISTRATION NUMBER <b>February 8, 2006</b> DATE					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/541,701	Confirmation No.	:	9794
First Named Inventor	:	Kai VISEL			
Filed	:	July 8, 2005			
TC/A.U.	:	(To Be Assigned)			
Examiner	:	(To Be Assigned)			
Docket No.	:	095309.56504US			
Customer No.	:	23911			
Title	:	Bodyshell			

**REPLY TO NOTIFICATION TO FILE MISSING REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

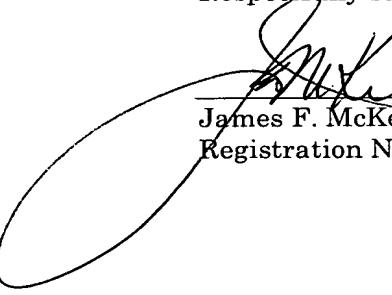
Applicant's undersigned attorney has not included the translation fee of \$130.00 as set forth in the Notice since there is sufficient evidence that no translation of the drawing figures is needed. Applicant's undersigned attorney submitted a copy of the application (eleven (11) pages) and one (1) sheet of drawings containing Figures 1-2 with the original filing of July 8, 2005, as evidenced by the enclosed return date stamped Postcard. Applicant's undersigned attorney notes that the Figures do not contain any text which would need to be translated into English.

If necessary to effect a timely response, this paper should be considered as a Response to Notification to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.56504US).

If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Respectfully submitted,

February 8, 2006

  
James F. McKeown  
Registration No. 25,406

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
JFM:mg  
DCIWDMS: 2713165\_1

56504US



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,701	Kai Visel	095309.56504US
INTERNATIONAL APPLICATION NO.		PCT/EP03/13371
I.A. FILING DATE	PRIORITY DATE	11/27/2003      01/10/2003

23911  
 CROWELL & MORING LLP  
 INTELLECTUAL PROPERTY GROUP  
 P.O. BOX 14300  
 WASHINGTON, DC 20044-4300

CONFIRMATION NO. 9794

## 371 FORMALITIES LETTER



\*OC000000017676026\*

Missing Requirements Due 2-19-06

Date Mailed: 12/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/08/2005
- Copy of the International Search Report filed on 07/08/2005
- Preliminary Amendments filed on 07/08/2005
- Information Disclosure Statements filed on 07/08/2005
- Request for Immediate Examination filed on 07/08/2005
- U.S. Basic National Fees filed on 07/08/2005
- Substitute Specification filed on 07/08/2005
- Priority Documents filed on 07/08/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The text in the drawings has not been properly translated.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$80** for a Large Entity:

- \$130 for English translation surcharge required.

(A previous payment of \$50 will be applied to the additional fees indicated above.)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

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Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,701	PCT/EP03/13371	095309.56504US

FORM PCT/DO/EO/905 (371 Formalities Notice)